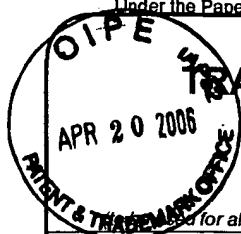


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

Application Number	10/549,973
Filing Date	September 20, 2005
First Named Inventor	Yasuto Ueda
Art Unit	2681
Examiner Name	
Attorney Docket Number	KO4086US (#90697)

Total Number of Pages in This Submission

10

## ENCLOSURES (Check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>return postcard receipt; translation of<br>Written Opinion; and Letter |
|--|--|--|

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	D. Peter Hochberg Co., L.P.A.		
Signature			
Printed name	D. Peter Hochberg		
Date	April 17, 2006	Reg. No.	24,603

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Sean Mellino	Date	April 17, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service as First Class mail in an envelope addressed: Commissioner for Patents P.O. Box 1450, Alexandria, Virginia, 22313-1450, on the date noted below:

Date: April 17, 2006

Sean Mellino  
Sean Mellino

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Yasuto Ueda  
Serial No. : 10/549,973 (Conf. No. 3461)  
Filing Date : September 20, 2005  
Examiner :  
Group Art Unit: 2681  
Title : COMMUNICATION SYSTEM, COMMUNICATION  
METHOD AND PROGRAM THEREOF  
Attorney File : KO4086US (#90697)

Commissioner for Patents  
P O Box 1450  
Alexandria, Virginia, 22313-1450

**LETTER**

Dear Sir:

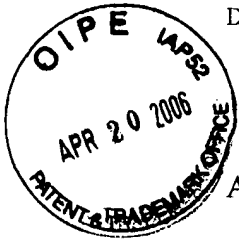
In order to supplement the filing documents of the above-referenced U.S. national phase patent application, enclosed herewith is a translation of the International Preliminary Report on Patentability and the Written Opinion.

Respectfully submitted,

Date: April 17, 2006

D. Peter Hochberg  
D. Peter Hochberg  
Reg. No. 24,603

D. Peter Hochberg Co., L.P.A.  
1940 E. 6<sup>th</sup> Street - 6<sup>th</sup> Floor  
Cleveland, OH 44114  
(216) 771-3800



From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

To:

KAN, Naoto  
6th Floor, Shinjukugyoen Bldg.  
2-3-10, Shinjuku, Shinjuku-ku, Tokyo  
1600022  
JAPON

Date of mailing (day/month/year)  
02 March 2006 (02.03.2006)

Applicant's or agent's file reference  
PCT3001MIS

**IMPORTANT NOTIFICATION**

International application No.  
PCT/JP2004/003711

International filing date (day/month/year)  
19 March 2004 (19.03.2004)

Applicant

OFFICE MISUMI CO. LTD. et al

**1. Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

**2. Transmittal of the copy of the translation to the designated or elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

Yoshiko Kuwahara

Facsimile No.+41 22 740 14 35

Facsimile No.+41 22 338 90 90

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PCT3001MIS	<b>FOR FURTHER ACTION</b>	See item 4 below
International application No. PCT/JP2004/003711	International filing date ( <i>day/month/year</i> ) 19 March 2004 (19.03.2004)	Priority date ( <i>day/month/year</i> ) 20 March 2003 (20.03.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant OFFICE MISUMI CO. LTD.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- |                                     |              |   |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the report   |
| <input type="checkbox"/>            | Box No. II   | Priority  |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input checked="" type="checkbox"/> | Box No. IV   | Lack of unity of invention  |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited   |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application  |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application   |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 21 February 2006 (21.02.2006)
Facsimile No. +41 22 740 14 35	Authorized officer <div style="text-align: center; font-weight: bold; margin-top: 10px;">Yoshiko Kuwahara</div> Telephone No. +41 22 338 90 90

# PATENT COOPERATION TREATY

Translation

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing  
(day/month/year)

Applicant's or agent's file reference

**PCT3001MIS**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.

**PCT/JP2004/003711**

International filing date (day/month/year)

**19.03.2004**

Priority date (day/month/year)

**20.03.2003**

International Patent Classification (IPC) or both national classification and IPC

Applicant

**OFFICE MISUMI CO. LTD.**

1. This opinion contains indications relating to the following items:

- |                                     |              |  |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the opinion   |
| <input type="checkbox"/>            | Box No. II   | Priority   |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability   |
| <input checked="" type="checkbox"/> | Box No. IV   | Lack of unity of invention   |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited  |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application   |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application  |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/003711

Box No. I

Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and, necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/003711

Box No. IV

Lack of unity of invention

1. ☐ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has:
- ☐ paid additional fees
  - ☐ paid additional fees under protest
  - ☐ not paid additional fees
2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is
- ☐ complied with
  - ☒ not complied with for the following reasons:

What are described in claims 1-11 and 34 pertain to making the obtaining of user content easy by using access information recorded in an IC tag. Whereas what are described in claims 12-33 pertain to drawing a user's attention by performing an alarm over failed communication with an IC tag.

4. Consequently, this opinion has been established in respect of the following parts of the international application:
- ☒ all parts
  - ☐ the parts relating to claims Nos. \_\_\_\_\_

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/003711

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-34</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims _____	YES
		Claims <u>1-34</u>	NO
	Industrial applicability (IA)	Claims <u>1-34</u>	YES
		Claims _____	NO
2.	Citations and explanations:		
	<p>List of documents cited in the ISR</p> <ol style="list-style-type: none"> <li>JP, 2002-169736, A (Kazuhiro SAITO), June 14, 2002 (06.14.02), Full text, all drawings</li> <li>JP, 2000-235569, A (NTT Data Corporation), August 29, 2000 (08.29.00), Full text, all drawings</li> <li>JP, 2002-298122, A (Oki Electric Industry Co., Ltd.), October 11, 2002 (10.11.02), Full text, all drawings</li> <li>JP, 2002-223478, A (Matsushita Electric Works, Ltd.), August 9, 2002 (08.09.02), Full text, all drawings</li> <li>JP, 2000-187787, A (Y.K. Toraberufan), July 4, 2000 (07.04.00), Paragraph 0015, Fig. 4</li> <li>JP, 2002-163301, A (NTT Docomo Inc.), June 7, 2002 (06.07.02), Full text, all drawings</li> <li>JP, 2001-306589, A (Yasufumi AMARI), November 2, 2001 (11.02.01), Full text, all drawings</li> <li>JP, 2002-281148, A (Murata MFG. Co., Ltd.), September 27, 2002 (09.27.02), Full text, all drawings</li> </ol> <p>Claims 1-11 and 34</p> <p>The inventions described in claims 1-11 and 34 do not appear to involve an inventive step based on documents 1, 2 and 3.</p> <p>Document 1 describes a system, wherein an identifier ID is stored in a semiconductor chip, magnetic medium or the like fitted on a visiting card or the like (see paragraph 0147, corresponding to the "IC tag" of the present application), and the identifier ID is read; thereby allowing simple access to the Web server. Also, document 1 describes an identical computer capable of uploading data to the Web server and producing a medium in which an identifier ID is recorded (see paragraph 0050 in particular).</p> <p>As exemplified in documents 2 and 3, changing levels of publishing information depending on a viewer is a merely well-known commonly used art for a party skilled in the art.</p> <p>Claims 12-33</p> <p>The inventions described in claims 12-33 do not appear to involve an inventive step based on documents 4, 5, 6, 7 and 8.</p>		



Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of Box V:

Document 4 describes a system, wherein when detection is made in a first communication device that a signal level from a second communication device is lower than a prescribed value (corresponding to "when communication fails" of the present application), the first communication device performs an alarm (first alarm) as an alert, and a position is detected (position information obtaining function) by GPS position detection means; thereby notifying the position detection information to a center station (operating server) via a line (see paragraph 0034 in particular). On the other hand, document 5 describes setting off a short confirmation sound (second alarm) when a signal from an object exceeds a prescribed value (see paragraph 0015 and Fig. 4 in particular). Configuration so as to perform signal transmission/reception using an IC tag and leader can be appropriately conceived by a party skilled in the art as seen in document 6.

Configuring so that information relating to an uploaded lost item can be viewed as appropriate via a line as seen in document 7, and limiting functions of a lost mobile telephone as seen in document 8 are mere matters that can be appropriately conceived by a party skilled in the art.

Also, obtaining position information in accordance with a received radio field intensity from a base station, having position information to be transmitted displayed, and obtaining the position information when it can be obtained and to use it later are mere matters that are appropriately performed.